

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: APRIL 18, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SUP-19645 - APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC.**

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**\*\* CONDITIONS \*\***

The Planning Commission (6-0-1/sd vote) and staff recommend APPROVAL, subject to:

**Planning and Development**

1. Conformance to the conditions for Site Development Plan Review (SDR-19648) if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The project is a request for a Special Use Permit (SUP-19645) to allow operation of an Auto Title Loan establishment and Financial Institution – Specified, with a Waiver to allow a distance separation of 60 feet from residential zoned property where 200 feet is required and a Waiver to allow a distance separation of 100 feet from an existing financial institution – specified where 1,000 feet is required at 631 North Nellis Boulevard, northwest of the intersection of North Nellis Boulevard at Bonanza Road. Staff recommends approval of the project and associated requests as the proposal will improve an existing retail center.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
08/10/78	The Planning Commission approved a Plot Plan Review (Z-62-72) to allow a shopping center on property located at the northwest corner of Nellis Boulevard and Bonanza Road. Staff recommended approval.
03/22/07	<a href="#">The Planning Commission recommended approval of companion item SDR-19648 concurrently with this application.</a>  <a href="#">The Planning Commission voted 6-0-1/sd to recommend APPROVAL (PC Agenda Item #45/ja).</a>
<b><i>Related Building Permits/Business Licenses</i></b>	
Active	The project site contains the following business licenses: 1. Check Cashing; C21-00112-2-097250 2. Auto Title Loan Company; F14-00047-H-105352
<b><i>Pre-Application Meeting</i></b>	
01/02/07	A Pre-application meeting was held where Planning staff advised the applicant of the distance separation requirements as well as parking requirements. The applicant was also informed of the requirement for a DINA.
<b><i>Neighborhood Meeting</i></b>	
A Neighborhood Meeting is not required for this application type nor was one held.	

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	4.56 acres

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Commercial	Service Commercial	C-1 (Limited Commercial)
North	Commercial	Service Commercial	C-1 (Limited Commercial)
South	Commercial	Service Commercial	C-1 (Limited Commercial)
East	County Area - Commercial	County Area - Commercial	County Area - Commercial
West	Residential and Commercial	Residential and Service Commercial	C-1 (Limited Commercial) and R-E (Residential Estates)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Purpose and Overlay Districts</b>		X	Y
<b>Trails</b>		X	Y
<b>Rural Preservation Overlay District</b>		X	Y
<b>Development Impact Notification Assessment</b>	X		Y
<b>Project of Regional Significance</b>		X	Y

*Pursuant to Title 19.10, the following parking standards apply:*

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Commercial Center	47,989 square feet	1 space/250 square feet gfa	207	6	220	6	Y
SubTotal			207		220		Y
TOTAL			207		220		Y

## ANALYSIS

The project is a request to allow an Auto Title Loan Company and Financial Institution – Specified (Check Cashing) located at 631 North Nellis Boulevard. The project site is an existing commercial retail center surrounded by retail uses to the north, east, and south; and residential zoned properties to the west.

- **General Plan and Zoning**

The project site is designated in the General Plan for SC (Service Commercial) use and is zoned as C-1 (Limited Commercial) consistent with the SC land use category.

- **Parking**

The existing commercial center contains 220 surface parking spaces where 207 spaces are required under current Title 19 commercial center parking standards. The proposed 3,509 square foot financial institution – specified and auto title loan company require 1 space for every 250 gross floor area (14 spaces). The project will be in compliance with Title 19 commercial development parking standards.

- **Waivers**

Auto Title Loan and Financial Institution – Specified establishments are permitted uses within the C-1 (Limited Commercial) zone subject to the distance separation requirements of Title 19.04. The project requests Waivers of these requirements. Two financial institution – specified currently operate within the project vicinity. Measured from property line to property line the location of a financial institution – specified and auto title loan company is limited under current code by a minimum 1,000 foot distance separation from another financial institution - specified. Additionally, the two uses are not permitted within 200 feet of residential zoned property. The project parcel is located within 100 feet of another financial institution and 60 feet of residential uses. The project site is a previously conforming use and granting of the Waivers of distance separation requirements will not result in significant adverse affects to surrounding uses nor result in an over concentration of financial uses within the area. Staff recommends approval as no detrimental effects will result with implementation of the project.

- **Project of Regional Significance**

Pursuant to Ordinance No. 5477, a project is deemed to be a “Project of Regional Significance” if the request is a Special Use Permit Application concerning property within 500 feet of the City Boundary with Clark County or North Las Vegas. The project site is 50 feet west of the Clark County boundary. No comments were received by Clark County.

## **FINDINGS**

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed uses can operate in a manner that will complement existing and future surrounding commercial uses.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The existing commercial center has adequate land area to accommodate the proposed uses.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

Existing street operations and vehicular access to the site from Bonanza Road and North Nellis Boulevard is adequate as is the capacity of both roads.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

No adverse impacts to human health and public safety will result with implementation of the proposed uses.

5. **The use meets all of the applicable conditions per Title 19.04.**

The uses will conform to all Title 19.04 conditions.

#### **PLANNING COMMISSION ACTION**

The applicant agreed to all conditions.

#### **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

10

**ASSEMBLY DISTRICT** 14

**SENATE DISTRICT** 2

**NOTICES MAILED** 153 by City Clerk

**APPROVALS** 0

**PROTESTS** 0